



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/630,808

07/31/2003

Takeshi Iwami

00862.023165.

9790

5514

7590

12/10/2009

FITZPATRICK CELLA HARPER & SCINTO

1290 Avenue of the Americas

NEW YORK, NY 10104-3800

EXAMINER

MCLEAN, NEIL R

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

12/10/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/630,808	Applicant(s) IWAMI ET AL.	
	Examiner Neil R. McLean	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/16/2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4, 11, 28-30, 32, 34-37 and 39-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4, 11, 28-30, 32, and 34-37, and 39-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/16/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 9/16/2009 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the Examiner.

Status of Claims

2. Claims 4, 11, 28-30, 32, 34-37 and 39-42 are pending in this application.
Claims 4, 11, 32, and 37 have been amended.

Response to Arguments

3. Applicant's arguments filed 9/16/2009 Applicant's arguments with respect to claims 4, 11, 28-30, 32, 34-37 and 39-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2625

5. Claims 4, 11 and 28-29, 31-35, and 37-38 rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 6,104,886) hereinafter 'Suzuki', in view of Ozawa et al. (US 2003/0016378) hereinafter 'Ozawa'.

Regarding Claims 1-3: (Canceled)

Regarding Claim 4: (Currently Amended)

Suzuki discloses a digital camera (101 in Figures 1 and 2) which has a memory for storing images (ROM 5), can be directly connected (Communication Cable 23 in Figures 1 and 2) to a printer (102 in Figures 1 and 2), and has a function of directly transmitting an image to the printer (Figure 2), comprising:

a selection unit configured to select an image to be printed from among images stored in the memory (e.g. switches 12b and 12c for selecting image frames to be displayed as described in Column 4, lines 29-31), after communication between the digital camera and the printer is established (a connection confirmation signal is sent from the printer to the camera and a response signal is sent to the printer; Column 6, lines 13-18);

a print instruction transmitting unit (The communication driver 11 is connected to a communication driver 13 of the digital color printer 102 via the communication cable 23; Column 4, lines 42-45) configured to transmit, to the printer, a print instruction indicating that the image selected by said selection unit is to be printed (Print start switch 22 operated by the operator to instruct start of print; Column 5, lines 3-7);

an image transmitting unit (communication between the communication drivers 11 and 13 may be established not only by the communication cable 23 but also by other conventional communication means such as

infrared or radio communication; Column 5, lines 11-15) configured to transmit, in response to receiving from the printer a request for transmitting the image to be printed, the requested image to the printer (The CPU 14 of digital color printer 102 receives image file data from the camera 101; Column 5, lines 48-50);

a reception unit configured to receive from the printer a message indicating the status of the printer (e.g. Figure 7; STEP S58 'DISPLAY COMMUNICATION ERROR'; LCD Display 7 of the camera); and

a control unit (CPU 4 of Camera) configured to

(i) if said reception unit has received a reception end message indicating that all data of the image to be printed was received by the printer (Figure 7; STEP S55 'IS RECEPTION IN PRINTER COMPLETED?'),

until the communication connection between the digital camera and the printer is disconnected by the user's operation or said reception unit receives a print completion message indicating that the print process of the image has been completed of the image to be printed keep the communication connection between the digital camera and the printer (wherein the auto-power-off function is disabled during a process of printing the image information by the printer, and enabled after the process of printing the image information by the printer is finished; Claim 1), and

(ii) if said reception unit receives the print completion message during the communication when the digital camera is connected to the printer, enable the selection of another image to be printed by said selection unit (Figure 4b: STEP S19; Once the printing of the one screen is finished, the display on the camera is turned on and the next screen is set in the state selectable by the user; Column 7, lines 54-58).

Suzuki does not disclose expressly **the displaying of a message** indicating that the communication between the digital camera and the printer can be disconnected by a user's operation,

Fritz discloses the displaying of a message indicating that the communication between the processing unit and the printer can be disconnected by a user's operation (Fritz discloses wherein a 'processing device' is connected to a printer (Processing Unit 402 and Printer 403 of Figure 4). In his example Fritz discloses a pc connected to a printer. The Examiner is interpreting that a processing device could also include a digital camera which is also a 'processing device'. Fritz discloses wherein the printer can give a note to the user of the processing unit, e.g., by presenting the note on a screen of the PC (Column 5, lines 57-63). Fritz further discloses wherein a message comprising a request to disconnect a session can be sent to the user (The message comprising a request to disconnect; Column 6, lines 17-22). Fritz & Suzuki are combinable because they are from the same field of endeavor of image processing; e.g. both references disclose methods of transferring image data between two devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to inform the user that it is ok to disconnect the connection between the camera and the printer. The suggestion/motivation for doing so is to allow the user to disconnect any cables or to move on to another task instead of waiting for the printer to finish printing. If the printer had a lot of data to print and the user had to wait until the printer is done printing, considerable time would be wasted by the user. Therefore, it would have been obvious

Art Unit: 2625

to combine Fritz's method of informing the user it is ok to disconnect with Suzuki's digital camera and printer to obtain the invention as specified.

Regarding Claim 28: (Previously Presented)

Suzuki further discloses the digital camera according to Claim 4, wherein said control unit displays information indicating that the user may disconnect the digital camera and the printer may operate the digital camera for sensing an image in response to receiving the reception end message from the printer (Figure 4b: STEP S19; Once the printing of the one screen is finished, the display on the camera is turned on and the next screen is set in the state selectable by the user; Column 7, lines 54-58).

Regarding Claim 29: (Previously Presented)

Fritz further discloses the digital camera according to Claim 4, wherein the digital camera and the printer are connected by a cable, and said control unit displays information indicating that the cable can be disconnected in response to receiving the reception end message from the printer (Fritz further discloses wherein a message comprising a request to disconnect a session can be sent to the user (Column 6, lines 17-22).

Regarding Claim 30: (Previously Presented)

Fritz discloses wherein the digital camera and the printer are connected via a wireless, and said display unit displays information indicating that the camera can be brought outside a wireless communication area of the printer in response to receiving

Art Unit: 2625

the reception end message from the printer (Fritz further discloses wherein a message comprising a request to disconnect a session can be sent to the user (Column 6, lines 17-22).

Regarding Claim 39: (Previously Presented)

Fritz further discloses the digital camera according to Claim 4, wherein, after the printer sends to the digital camera the reception end message indicating that all data of the image to be printed was received by the printer, the printer continues the print process until the print process for the image to be printed is completed (Fritz further discloses wherein a message comprising a request to disconnect a session can be sent to the user (Column 6, lines 17-22).

Regarding Claims 11, 32, 34-37, and 40-42:

The proposed combination of Suzuki and Fritz, explained in the rejection of the digital camera of Claims 4, 28-30, and 39, renders obvious the steps of the method of Claims 11, 32, 34-37, and 40-42 because these steps occur in the operation of the proposed combination as discussed above. Thus, the arguments similar to that presented above for Claims 4, 28-30, and 39 are equally applicable to claims 11, 32, 34-37, and 40-42.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Battles et al. (US 2003/0210331) discloses a digital camera

Art Unit: 2625

comprising an optical system for forming an optical image, an image conversion system responsive to the optical image for storing image data, a user interface configured to direct a processing of the image data and a communications interface for receiving user definition data for configuring an operation of the user interface.

Examiner Notes

7. The Examiner cites particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully considers the references in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or as disclosed by the Examiner.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2625

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neil R. McLean whose telephone number is (571)270-1679. The examiner can normally be reached on Monday through Friday 7:30AM-4:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571.272.7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Neil R. McLean/
Examiner, Art Unit 2625